

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Jeffrey Ransom,

Plaintiff,

v.

Case No. 2:14-cv-1845

Owens-Illinois, Inc.,

Defendant.

ORDER

This matter is before the court for consideration of the magistrate judge's report and recommendation filed on November 20, 2014. See Doc. 2. As the magistrate judge correctly explained, 28 U.S.C. §1915(e) requires sua sponte dismissal of an action upon the court's determination that the action is frivolous or malicious, or fails to state a claim upon which relief may be granted. Grinter v. Knight, 532 F.3d 567, 572 (6th Cir. 2008). Courts conducting initial screens under §1915(e) apply the motion to dismiss standard. See, e.g., Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010) (applying Fed. R. Civ. P. 12(b)(6) standards to review under 28 U.S.C. §§1915A and 1915(e)(2)(B)(ii)). The magistrate judge conducted an initial screen of plaintiff's complaint as required by 28 U.S.C. §1915(e)(2) and recommended that the court dismiss this action for lack of subject matter jurisdiction and because the complaint fails to state a claim under federal law.

The report and recommendation specifically advised the parties that any objections to the report and recommendation were due within fourteen days. Doc. 2, p. 4. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court hereby adopts the report and recommendation (Doc. 2). This case is hereby dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) due to lack of subject matter jurisdiction and for failure to state a claim under federal law. The clerk is directed to mail a copy of the complaint, the report and recommendation, and this order to the defendant.

Date: December 16, 2014

s/James L. Graham
James L. Graham
United States District Judge